

Robert S. Weisbein (RW 0080)
FOLEY & LARDNER LLP
90 Park Avenue
New York, NY 10016-1314
Phone: 212-338-3400
Facsimile: 212-687-2329
Email: rweisbein@foley.com
Attorneys for Plaintiff
Instead Sciences, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
: INSTEAD SCIENCES, INC., a California
: Corporation,
:

Plaintiff,

Civil Action No.: 08 CV 5236 (DC)

v.

**MOTION TO ADMIT
PRO HAC VICE**

ReProtect, Inc., a Maryland corporation, Ultrafem
Inc., a Delaware corporation, Dr. Richard Cone
And Dr. Thomas Moench,
:

Defendants.
-----X

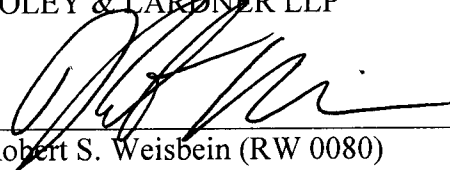
PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Robert S. Weisbein, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Applicant's Name: Victor A. Vilaplana
Firm Name: Foley & Lardner LLP
Address: 402 West Broadway
Suite 2100
City/State/Zip: San Diego, CA 92101-3542
Phone Number: (619) 234-6655
Fax Number: (619) 234-3510

Victor A. Vilaplana is a member in good standing in the Bar of the State of California, the United States District Court, Central District of California, and the United States District Court, Southern District of California. There are no pending disciplinary proceeding against Victor A. Vilaplana in any State or Federal court.

Dated: July 17 2008
New York, New York

FOLEY & LARDNER LLP

A handwritten signature in black ink, appearing to read 'R. Weisbein', is written over a horizontal line.

Robert S. Weisbein (RW 0080)

FOLEY & LARDNER LLP

90 Park Avenue

New York, NY 10016-1314

Phone: 212-338-3400

Facsimile: 212-687-2329

Email: rweisbein@foley.com

Attorneys for Plaintiff

Instead Sciences, Inc.

Robert S. Weisbein (RW 0080)
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Phone: 212-338-3400
Facsimile: 212-687-2329
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Attorneys for Plaintiff
Instead Sciences, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INSTEAD SCIENCES, INC., a California Corporation,

Plaintiff,

V.

ReProtect, Inc., a Maryland corporation, Ultrafem Inc., a Delaware corporation, Dr. Richard Cone And Dr. Thomas Moench,

Defendants.

Civil Action No.: 08 CV 5236 (DC)

**AFFIDAVIT OF ROBERT S.
WEISBEIN IN SUPPORT OF
WRITTEN MOTION TO
ADMIT COUNSEL *PRO HAC VICE***

[illegible]

Robert S. Weisbein, being duly sworn, hereby deposes and says as follows:

1. I am a partner at Foley & Lardner LLP, counsel for Plaintiff Instead Sciences, Inc. in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Victor A. Vilaplana as counsel pro hac vice to represent Plaintiff Instead Sciences, Inc. in this matter.
2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in January 1983. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. Victor A. Vilaplana is Of Counsel at Foley & Lardner LLP in San Diego, California.
4. Victor A. Vilaplana is a member in good standing of the Bar of the State of California, the United States District Court, Central District of California, and the United States District Court,

Southern District of California. Certificates of Good Standing from the Bar of the State of California, the United States District Court, Central District of California, and the United States District Court, Southern District of California are attached as Exhibit A.

5. I understand Mr. Vilaplana to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure. I know of no reason why Mr. Vilaplana should not be admitted pro hac vice.

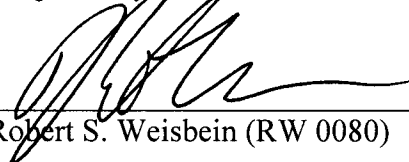
6. Accordingly, I am pleased to move the admission of Victor A. Vilaplana, pro hac vice.

7. I respectfully submit a proposed order granting the admission of Victor A. Vilaplana, pro hac vice, which is attached hereto as Exhibit B.

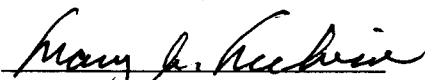
WHEREFORE it is respectfully requested that the motion to admit Victor A. Vilaplana, pro hac vice, to represent Defendants Instead Sciences, Inc. in the above captioned matter, be granted.

Dated: July 17, 2008
New York, NY

Respectfully submitted,


Robert S. Weisbein (RW 0080)

Sworn to before me this
17th day of July 2008


Notary Public, State of New York

MARY A. MELVIN
Notary Public, State of New York
No. 01ME4724081
Qualified in Queens County
Certificate Filed in New York County
Commission Expires October 31, 182010



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

July 3, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, VICTOR ARMANDO VILAPLANA, #058535 was admitted to the practice of law in this state by the Supreme Court of California on December 18, 1973; that from the date of admission to May 1, 1979, he was an ACTIVE member of the State Bar of California; that on May 1, 1979, he transferred at his request to the INACTIVE status as of January 1, 1979; that from that date to November 19, 1979, he was an INACTIVE member of the State Bar of California; that on November 19, 1979, he transferred at his request to the ACTIVE status; that he has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert", is written over a horizontal line.

Kath Lambert
Custodian of Membership Records

United States District Court

Central District of California

CERTIFICATE OF GOOD STANDING

I, SHERRI R. CARTER, Clerk of this Court, certify that

Victor A. Vilaplana, Bar No. 58535

was duly admitted to practice in this Court on February 10, 1983

and is in good standing as a member of the Bar of this Court.

Dated at Los Angeles, California.

on June 25, 2008
DATE

SHERRI R. CARTER, CLERK

By 
Lupe Thrasher, Deputy Clerk
1200

CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA

SOUTHERN DISTRICT OF CALIFORNIA

} ss.

I, W. Samuel Hamrick, Jr., Clerk of the United States District Court for the
Southern District of California,

DO HEREBY CERTIFY That Victor Vilaplana was duly admitted to practice in said
Court on 12/18/1973, and is in good standing as a member of the bar of said Court

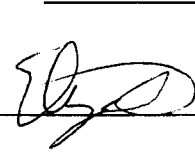
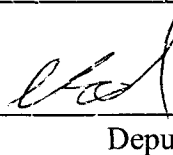
Dated at San Diego, CA

W. SAMUEL HAMRICK, JR.

Clerk

on June 27, 2008

By

 
Deputy Clerk

Robert S. Weisbein (RW 0080)
FOLEY & LARDNER LLP
90 Park Avenue
New York, NY 10016-1314
Phone: 212-338-3400
Facsimile: 212-687-2329
Email: rweisbein@foley.com
Attorneys for Plaintiff
Instead Sciences, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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INSTEAD SCIENCES, INC., a California	:	
Corporation,	:	
	:	
Plaintiff,	:	Civil Action No.: 08 CV 5236 (DC)
	:	
v.	:	
	:	ORDER FOR ADMISSION
	:	PRO HAC VICE ON
ReProtect, Inc., a Maryland corporation, Ultrafem	:	WRITTEN MOTION
Inc., a Delaware corporation, Dr. Richard Cone	:	
And Dr. Thomas Moench,	:	
	:	
Defendants.	:	
-----	X	

Upon the motion of Robert S. Weisbein, attorney for Plaintiff Instead Sciences, Inc. and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: Victor A. Vilaplana
Firm Name: Foley & Lardner LLP
Address: 402 West Broadway
Suite 2100
City/State/Zip: San Diego, CA 92101-3542
Phone Number: (619) 234-6655
Fax Number: (619) 234-3510

is admitted to practice pro hac vice as counsel for Plaintiff Instead Sciences, Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing

(ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov.

Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: July ___, 2008
New York, New York

United States District/Magistrate Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X	
	:
INSTEAD SCIENCES, INC., a California	:
Corporation,	:
	:
Plaintiff,	:
	:
v.	:
	:
	:
ReProtect, Inc., a Maryland corporation, Ultrafem	:
Inc., a Delaware corporation, Dr. Richard Cone	:
And Dr. Thomas Moench,	:
	:
Defendants.	:
----- X	

Civil Action No.: 08 CV 5236 (DC)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

AVA M. BESSEL, being duly sworn, deposes and says:

Deponent is not a party to the action, is over 18 years of age and resides at 400 East 50th Street, New York, NY 10022.

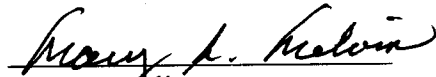
That on the 17th day of July, 2008, deponent caused to be served a copy of the **Notice of Motion and Affidavit of Robert S. Weisbein in Support of Written Motion to Admit Victor A. Vilaplana *Pro Hac Vice*** upon all counsel of record at their last address as follows via First Class Mail:

Eric J. Lobenfeld and Dillon Kim
Hogan & Hartson L.L.P.
875 Third Avenue
New York, NY 10022

the attorneys authorized to accept service on behalf of the defendants.


AVA M. BESSEL

Sworn to before me this
17th day of July, 2008


Notary Public

MARY A MELVIN
Notary Public, State of New York
No 01ME4724081
Qualified in Queens County
Certificate Filed in New York County
Commission Expires October 31, 2010